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8 Attorneys for Plaintiff
9 PAUL ALFRED SINCERNY

10
11 UNITED STATES DISTRICT COURT
12
13 NORTHERN DISTRICT OF CALIFORNIA

14 PAUL ALFRED SINCERNY,
15
16 Plaintiff,

17 vs.

18 City of Walnut Creek; Walnut Creek Police
19 Department; Walnut Creek Police Sergeant
20 Ryan Hibbs; Walnut Creek Police Officer
21 Lee Herrington; Walnut Creek Police
22 Officer Brookshire; Walnut Creek Police
23 Officer Adams; Walnut Creek Police
24 Officer Ashley Roskos; Walnut Creek
25 Police Officer Njoroge; Walnut Creek
26 Police Officer Steve Bertolozzi; Walnut
27 Creek Police Detective Kim Gerstner;
28 Walnut Creek Police Officer Scott
Moorhouse; Walnut Creek Police Chief
Tom Chaplin, Rachel Melia Smith and
DOES 1-20,

Defendants.

Case No. C17-02616 HSG

**STIPULATION AND ORDER TO
MODIFY BRIEFING SCHEDULE RE
OCTOBER 12 HEARING ON
DEFENDANTS' RULE 12 MOTION TO
DISMISS**

WHEREAS Defendants on August 25 filed and served a Rule 12(b)(6) Motion to Dismiss; and

WHEREAS on August 28, the said Motion to Dismiss was re-noticed for hearing to take place on October 12, 2017; and

STIPULATION AND ORDER TO MODIFY BRIEFING
SCHEDULE RE DEFENDANTS' RULE 12 MOTION TO
DISMISS – C17-02616 HSG

WHEREAS under local court rules plaintiff's Opposition would normally be due on or before Friday September 8; and

WHEREAS plaintiff's counsel is a solo practitioner and must travel to Los Angeles for a hearing this week, and has depositions two out of the four business days next week following the Labor Day Holiday, which prior business commitments substantially impair his ability to research and draft a thorough Opposition by September 8;

NOW THEREFORE the parties, by and through their respective attorneys, have agreed that good cause exists in the interest of the furtherance of justice that the briefing schedule on said Motion to Dismiss be modified, and propose therefore to the Court that plaintiff's Opposition be filed and served no later than Friday September 15, and the defendants' Reply briefing on or before September 22, well before the re-noticed October 12 hearing date.

We hereby attest that concurrence in the filing of these documents has been obtained from each of the other Signatories, which shall serve in lieu of their signatures on the document.

Dated: August 29, 2017

HELBRAUN LAW FIRM

By: /s/ Helbraun, David M

David M. Helbraun
Attorneys for Plaintiff
Paul Alfred Sincerny

Dated: August 29, 2017

MCNAMARA, NEY, BEATTY, SLATTERY,
BORGES & AMBACHER LLP

By: /s/ Blechman, Noah G.

Noah G. Blechman
Attorneys for Defendants
City of Walnut Creek; Walnut Creek Police Sergeant
Ryan Hibbs; Walnut Creek Police Officer Lee
Herrington; Walnut Creek Police Officer Adams; and
Walnut Creek Police Officer Ashley Roskos

ORDER

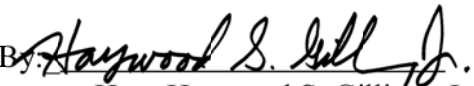
PURSUANT TO THE PARTIES' STIPULATION, AND CAUSE EXSITING THEREFORE, IT IS HEREBY ORDERED AS FOLLOWS:

Plaintiff's Opposition briefing with regard to defendants' pending Rule 12(b)(6) Motion to Dismiss shall be filed and served no later than September 15, 2017, and defendants' Reply

briefing shall be filed and served no later than September 22, 2017.

IT IS SO ORDERED

Dated: 8/30/2017

By: 
Hon. Haywood S. Gilliam, Jr.
District Court Judge